

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, APRIL 9, 2001

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with Messrs. Bloomfield, Dale, Kreider, Raser and Senhauser and Mmes. Borys, Spraul-Schmidt and Sullebarger present. Absent: Ms. Wallace.

MINUTES

The minutes of the March 26, 2001, meeting were approved as corrected (Motion by Spraul-Schmidt, second by Borys).

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE FOR 1243 ELM STREET, MUSIC HALL, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Staff member Daniel Young presented the staff report on an application for two signs on Music Hall. He indicated the signs meet historic guidelines; however, a zoning variance is required. Music Hall is divided by a zoning line that runs through the middle of the building; the front of the building is in a residential district; the rear is in an office district. A zoning variance is required to install a sign across the fascia of the front awning facing Elm Street. Ms. Joyce Van Wye and Mr. Mike Freudiger, representing the Society for the Preservation of Music Hall, were present.

BOARD ACTION

The Board unanimously approved the staff recommendation (motion by Raser second by Kreider) and:

- 1) Approved a Certificate of Appropriateness for the installation of two identification signs on the front and rear of Music Hall, as shown on plans by GeoGraph Ind., Inc. dated March 22, 2001.
- 2) Granted a variance to the Zoning Code's sign requirements in the R-7 district to permit the installation of the proposed identification sign on the front of Music Hall, facing Elm Street, finding that such relief:
 - a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district, and
 - b) Will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is located.

[Ely Ryder, Esq., City Solicitor's Office, entered the meeting.]

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCES, 1884 MADISON ROAD, EAST WALNUT HILLS HISTORIC DISTRICT

Staff member Adrienne Cowden presented the staff report for an application to construct a detached garage and expand a rear porch at 1884 Madison Road, a contributing building in the East Walnut Hills Historic District. Ms. Cowden also circulated a drawing of an updated landscape plan submitted April 9, 2001.

The deck complies with historic district guidelines in overall design; its scale and proportions are compatible with the house. The original topography of the lawn will be restored when the existing driveway is in-filled and landscaped.

Staff found that the garage design is also compatible with and complementary to the main house. The garage is sensitive in scale, materials and proportion and alludes to design features found in the original house.

Ms. Cowden indicated that the location of the garage does not comply with historic district guidelines for new construction that call for a new structure to be sited with setbacks similar to that of adjacent buildings. As proposed, the garage will be set back only 18' from Wold Avenue and will sit 10' closer to the street than the house.

In addition, zoning variances for the garage are required for 1) an 18' instead of a 40' side yard setback, 2) a height of 16' instead of 12'-6" for an accessory building and 3) rear yard coverage exceeding 30% of the rear lot. Staff recommended that the Board approve the design of the garage but require that the structure be moved back farther from the street to the line of the house.

Owners Rich and Nancy Graeter and project architect Michelle Avery were present to support the application.

[Mr. Bloomfield entered the meeting.]

In answer to a question from Mr. Kreider, Ms. Cowden confirmed that Section 1469 of the zoning code allows flexibility for the setback from the property line of accessory buildings on a corner lot. Ms. Borys questioned the appropriateness of a single garage door. Ms. Spraul-Schmidt commented that the HCB has almost always required two narrower doors rather than a single garage door.

Mr. Graeter indicated that the garage had been sited nearer the street so as to avoid the tree canopy, to add landscaping and to provide a safe play area for his children. Ms. Sullebarger pointed out that in East Walnut Hills garages are usually situated near the rear property line. Mr. Graeter said the unique shape of the property justifies placing the garage closer to the street; he showed a topographical map and explained that the garage would be screened from the street by the proposed landscaping.

Ms. Sullebarger expressed concern about setting a precedent for garages closer to the street, despite the fact that this is a corner lot. She commented that buildings are more permanent than trees and that it is important to properly site permanent buildings.

Mr. Graeter acknowledged that the proposed garage is deeper than normal in order to accommodate a third vehicle parked laterally in the rear of the building. He showed an alternative design for a shallower, three bay garage that could have been sited farther from the street. The Board generally favored this scheme, but Mr. Graeter indicated that its cost had proved prohibitive.

Mr. Kreider said the trees and topography will soften the impact of the proposed garage and that the zoning code does allow flexibility in granting variances for a narrow lot. In this case, the owner has demonstrated that his lot is narrower than others in the area. Mr. Bloomfield commented that the setback of this house is less than others on Wold Avenue and that tree preservation is a guideline for this historic district.

Ms. Dorothy Vogt, president of the East Walnut Hills Assembly, spoke in favor of following and enforcing the historic district guidelines. She said she has received negative comments about the garage built across Wold Avenue from this lot at 1870 Madison Road.

Mr. Senhauser expressed concern about siting the garage even closer to the street than the house and suggested the garage have two 9' wide doors rather than one 16' door.

BOARD ACTION

The Board voted unanimously (motion by Kreider second by Dale) and took the following actions:

1. Found that the designs for the porch and garage meet the East Walnut Hills Historic District guidelines and approve a Certificate of Appropriateness with the conditions that
 - A. the garage be modified to have two 9' doors
 - B. final construction drawings and proposed exterior finishes/elements must be submitted to the Urban Conservator for approval prior to construction; and
2. Granted approval of a height variance, a minimum lot coverage variance and an 18' side yard setback in lieu of the required 40' setback, finding that such relief
 - A. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic, architectural or aesthetic integrity; and
 - B. Will not be materially detrimental to the public health, safety and welfare or injurious to the property in the district or vicinity.

[Mr. Bloomfield and Ms. Sullebarger left the meeting.]

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCES FOR 3006 FAIRFIELD AVENUE, EAST WALNUT HILLS HISTORIC DISTRICT

Ms. Cowden presented the staff report on an application for a Certificate of Appropriateness and the necessary zoning variances to build a carport and rear deck at 3006 Fairfield Avenue. The building is a contributing resource in the East Walnut Hills Historic District and sits on a narrow lot. Architect David Kirk was present to answer questions. Ms. Dorothy Vogt represented the East Walnut Hills Assembly. Ms. Cowden said that one neighbor, Betty Burns, had attended the pre-hearing conference and expressed concern about the project.

Ms. Cowden said that the proposed deck is compatible with the house in scale, materials and proportions and complies with historic district guidelines; only the southeasternmost edge will be visible from the street. The zoning code requires a 35' rear yard setback, but the proposed deck will be within 8' of the rear property line at its closest point. The existing house sits within 22' of the rear property line. Mr.

Senhauser commented that in this area accessory structures may be within 3' of the rear and side property lines in a rear yard.

Ms. Cowden indicated that the proposed carport does not meet the historic district guidelines, which state that new buildings should respect neighborhood patterns and should be sited with setbacks similar to those of adjacent buildings. Accessory buildings in the district are typically sited deep in the rear yard. Siting the carport in the side yard allows the existing stone retaining wall to remain in place and permits a landscaped garden in the rear yard. Ms. Cowden said that the carport design with slender stone piers and heavy saddlebag hipped roof is itself incompatible with both the house and other buildings within the historic district.

Ms. Cowden said that there are also two zoning issues with the carport. The City zoning code limits the height of accessory structures to 12'-6"; as designed, the carport is approximately 13'-0" to the midpoint of the hipped roof. Secondly, within the R-1 zone, no accessory building may be erected in an open space other than a rear yard. The proposed location in the side yard requires a variance.

Ms. Cowden said that staff had encouraged the project architect to consider locating a garage (as originally proposed) at the rear of the lot. The applicant argued that a fully enclosed garage was no longer economically feasible and that siting the structure in the rear yard would double costs and eliminate garden space.

Mr. Dale asked whether other points of massing and openings of the proposed structure were considered. Ms. Cowden said the owners do not want to move an accessory structure to the rear of the property and proposed a more visually open carport, like a porte-cochere, as an alternative. Mr. Senhauser commented that carports are not typical of the district; an open structure like an arbor, gazebo, pavilion or folly, large enough to accommodate a car but empty most of the time, might be more acceptable. He also commented that the visually heavy, hipped roof is out of proportion with the slender supports.

Mr. Kreider suggested moving the carport farther back on the property more in line with the carriage house next door. Ms. Borys suggested using wood and screen walls, wood columns or railing on two sides and a different roof style to make the structure more open and lighten its appearance.

BOARD ACTION

The Board voted unanimously (motion by Dale second by Spraul-Schmidt) and took the following actions:

1. Found that the proposed rear deck design meets East Walnut Hills Historic District Guidelines and approved a certificate of Appropriateness for its construction;
2. Granted a rear yard variance for construction of the rear deck, finding that such relief:
 - A. Is necessary and appropriate in the interest of historic district conservation so as not to adversely affect the historic, architectural or aesthetic integrity; and
 - B. Will not be materially detrimental to the public health, safety and welfare or injurious to the property in the district or vicinity.

The Board voted unanimously (motion by Spraul-Schmidt second by Kreider) to table further consideration of the carport in order to give the applicant an opportunity to revise the design based on the Board's discussion of alternate locations and design approaches.

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 217 WEST TWELFTH STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Because all Board members had received copies of staff member Daniel Young's report on this item, there was no discussion.

BOARD ACTION

The Board voted unanimously (motion by Kreider second by Borys) and

1. Approved a Certificate of Appropriateness for the installation of a 7.5'-high iron fence with double gate, to match the existing fencing, along the east side property line of the parcel located at 217 W. Twelfth Street.
2. Approved a conditional accessory use to allow for the construction of the 7.5'-high black iron fence on the east side

DRAFT DESIGNATION REPORT AND GUIDELINES, OVER-THE-RHINE (NORTH) HISTORIC DISTRICT

Urban Conservator William Forwood reported that notification of a special HCB hearing Monday, April 16, 2001 and a second hearing before the City Planning Commission on Friday, April 20, 2001 was sent to approximately 500 area residents and interested parties. After approval by these two bodies, the draft designation report and guidelines go to City Council for action before the expiration of the Housing Retention Act on May 15, 2001. Ely Ryder, Esq., City Solicitor's Office, was present for consultation.

Mr. Forwood explained that Councilman DeWine has seen and is considering the guidelines that cover demolition, new construction and site development. If the OTR (North) district is approved, the HCB will become the hearing body for the existing Findley Market EQ; guidelines for that district cover new construction, site development and the renovation of existing structures. The prohibition against demolishing existing buildings for surface parking not associated with another project is carried over from the Neighborhood Housing Retention (NHR) ordinance. Mr. Young pointed out that the existing NHR district around Washington Square is not expiring.

Mr. Forwood said that the OTR Planning Steering Committee for the OTR master planning process has opposed consideration of an OTR (North) Historic District at this time. The Executive Board plans to request that City Council extend the NHR ordinance until completion of the OTR Master Plan that will make a recommendation on a northern district.

The Board discussed suggestions for specific changes and clarifications in the proposed guidelines. Mr. Forwood requested that Board members fax or telephone him with suggested changes.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned
(motion by Kreider second by Spraul-Schmidt).

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date